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January 7, 2019

**VIA ELECTRONIC FILING**

Hon. David N. Hurd  
Alexander Pirnie Federal Bldg. and U.S. Courthouse  
10 Broad Street  
Utica, New York 13501

Re: *Grant v. City of Syracuse, et al.*  
Fed. Civ. Action No.: 5:15-CV-00445-LEK-TWD

Dear Judge Hurd,

Defendants write this letter in order to identify an albeit minor, but substantive, good faith mistaken omission of a word from our memorandum of law that was submitted on Friday, January 4, 2019 in opposition to Plaintiffs' motion for attorney's fees and costs. *See* Dkt. No. 183-19.

On page three of the memorandum of law (CM/ECF page number nine), on the last line on the page, there is a sentence that reads:

"The *Johnson* factors should be considered in evaluation. *See* Dkt. No. 167, pp. 6."

Dkt. No. 183-19, p. 9. However, as is obvious from the previous sentence citing *M.C. v. Lake George Cent. Sch. Dist.*, 2013 WL 1814491 (N.D.N.Y. 2013), it was Defendants' intent to write the following (redlined):

"The *Johnson* factors should not be considered in evaluation. *See* Dkt. No. 167, pp. 6."

This critical omission was made in error and Defendants seek to correct this error in good faith. Therefore, Defendants respectfully request that the Court in its discretion acknowledge this letter as a supplement limited only to the aforementioned omission and correction. In the event, however, that the Court does not deem this sufficient, we respectfully request the Court's permission for leave of Court to file an amended memorandum of law to correct the error. We will proceed accordingly. We thank you for your attention and consideration in this matter.

Respectfully submitted,

Todd M. Long, Esq.  
Assistant Corporation Counsel

TML/

cc: All counsel of record (via CM/ECF)